

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JOSE RODRIGUEZ,

Plaintiff,

v.

**9:04-CV-358
(FJS/GHL)**

**GLEN S. GOORD, Commissioner for NYS
Department of Correctional Services; THOMAS
G. EAGEN, Inmate Grievance Program Director
for NYS Department Correctional Services;
HOWARD DEAN, Director of Inmate Industry
Cook-Chill for NYS Department of Correctional
Services; KEVIN BOWEN; ROBERT LANGDON;
NICHOLAS GUALTIERI; RALPH FONDARIO,
Food Administrator Supervisor of Inmate Industry
Cook-Chill for NYS Department of Correctional
Services; DR. RAJA MARA, Medical Director of
NYS Oneida Correctional Facility for NYS
Department of Correctional Services; NURSE
BARBARA DESTITO; NURSE REBECCA
BURDIC, and ONEIDA CORRECTIONAL
FACILITY, NYS Department of Correctional
Services (1-25),**

Defendants.

APPEARANCES

OF COUNSEL

**JOSE RODRIGUEZ
02-R-2568**

Mid-State Correctional Facility
P.O. Box 2500
Marcy, New York 13403
Plaintiff *pro se*

**OFFICE OF THE NEW YORK
STATE ATTORNEY GENERAL**
The Capitol
Albany, New York 12224
Attorneys for Defendants

KATE H. NEPVEU, AAG

SCULLIN, Chief Judge

ORDER

Currently before the Court is Plaintiff Jose Rodriguez' amended complaint, *see* Dkt. No. 27, which he submitted in compliance with this Court's February 7, 2005 Order, *see* Dkt. No. 25. Since Plaintiff's amended complaint appears to address the concerns that the Court expressed in its prior Order, it may properly be filed with the Court.

Accordingly, the Court hereby

ORDERS that the Clerk of the Court amend the Court's Docket for this case to reflect that "Ralph Fanderio" is actually "Ralph Fondario" and that "Bobby Ladin" is actually "Robert Langdon;" and the Court further

ORDERS that the Clerk of the Court amend the Court's Docket for this case to reflect the caption and the parties as listed in the amended complaint, *see* Dkt. No. 27; and the Court further

ORDERS that Plaintiff serve a copy of his amended complaint on counsel for Defendants Goord, Eagen, Dean, Langdon, and Fondario within **thirty (30) days** of the filing date of this Order; and the Court further

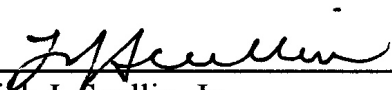
ORDERS that the Clerk of the Court forward a copy of this Order to the United States Marshal and issue summonses and forward them, together with copies of the amended complaint, to the United States Marshal for service upon Defendants Bowen, Gualtieri, Mara, Destito, and Burdic; and the Court further

ORDERS that Defendants or their counsel file a formal response to Plaintiff's amended complaint as provided for in the Federal Rules of Civil Procedure; and the Court further

ORDERS that the Clerk of the Court serve a copy of this Order on the parties in accordance with this Court's Local Rules.

IT IS SO ORDERED.

Dated: November 16, 2005
Syracuse, New York



Frederick J. Scullin, Jr.
Chief United States District Court Judge